

## Chapter 242

### Civil Service for City and School District Employees

#### 242.702 to 242.824

##### NOTES OF DECISIONS

This Act applies to rural fire protection districts. *Myers v. Bd. of Directors*, (1971) 5 Or App 142, 483 P2d 95.

ATTY. GEN. OPINIONS: Application to rural fire protection districts, 1966-68, p 636; financing public welfare as a matter of state concern, (1970) Vol 34, p 1043.

#### 242.702

##### NOTES OF DECISIONS

The establishment of a civil service system for firemen is a matter of local concern and not within the authority of the state to legislate concerning. *State v. City of Milwaukie*, (1962) 231 Or 473, 373 P2d 680; *Boyle v. City of Bend*, (1963) 234 Or 91, 380 P2d 625.

ATTY. GEN. OPINIONS: Coverage of fire chief, 1958-60, p 346.

#### 242.704

##### NOTES OF DECISIONS

A system that made no provision for service of written

notice of charges on the employe, an independent review board or a civil service commission was not an acceptable substitute system. *Myers v. Bd. of Directors*, (1971) 5 Or App 142, 483 P2d 95.

ATTY. GEN. OPINIONS: Coverage of fire chief, 1958-60, p 346.

#### 242.802

##### NOTES OF DECISIONS

Employes are entitled to benefits they would have received even though the legislative mandate has not been followed. *Myers v. Bd. of Directors*, (1971) 5 Or App 142, 483 P2d 95.

Where a wrongfully discharged civil service employe is entitled to reinstatement, the public employer is entitled, by way of mitigation of damages, to a credit of the amount earned by the employe during the term of the wrongful discharge or suspension. *Id.*

#### 242.824

ATTY. GEN. OPINIONS: Effect on organization of rural fire district and right to vote, 1958-60, p 346.